

DAVID M. SCHWARTZ, ESQ. LL.M.

546 Fifth Avenue, 6th Floor, New York, NY 10036 T: 212.641.0049 E: david@davidswartzesq.com

October 6, 2023

VIA ECF & EMAIL

chambersnysdmarrero@nysd.uscourts.gov

The Honorable Victor Marrero
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *National Coalition on Black Civil Participation et al. v. Wohl et al.*,
United States Court, Southern District of New York, Case No. 1:20-cv-08668

Dear Judge Marrero:

The Defendants at the inception of this case have asserted their Fifth Amendment constitutional right against self-incrimination. The Defendants have never stated otherwise and continue to invoke this privilege.

If the Defendants choose to withdraw this privilege, the Court should not set a deadline. The statement by Plaintiffs that somehow the Defendants would be given an unfair advantage if they so choose to withdraw this privilege is completely without merit.

Respectfully Submitted,

/s/ David M. Schwartz

David M. Schwartz

cc: All counsel of record (via ECF)